

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MELODY WILLIAMS,

Petitioner, : Case No. 3:15-cv-254

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

GOVERNOR JOHN KASICH, et al.,

Respondents.

**DECISION AND ORDER ADOPTING REPORT AND
RECOMMENDATIONS**

This case is before the Court on the Magistrate Judge's Report and Recommendations of July 28, 2105 (ECF No. 3). Because the Plaintiff sought release from custody for herself and all similarly-situated Ohio women inmates, the Magistrate Judge concluded the case was required to be brought in habeas corpus, rather than under 42 U.S.C. § 1983. *Id.* at PageID 52. Plaintiff was then ordered to re-file in habeas corpus. *Id.* The Magistrate Judge warned that if this were not done, the case would be dismissed for want of jurisdiction. *Id.*

Instead of filing an individual habeas corpus action, Plaintiff moved to amend, again seeking class action relief on behalf of herself on behalf of all Ohio inmates represented by counsel under the Ohio Public Defender system (ECF No. 6). On August 17, 2015, the Magistrate Judge denied the Motion to Amend in a detailed decision (ECF No. 7).

Ms. Williams has neither complied with nor objected to the Report and Recommendations. Nor has she objected to the denial of her Motion to Amend. The Court

accordingly finds the Report and Recommendations well taken. The Complaint herein is ordered
DISMISSED without prejudice for want of prosecution.

September 2, 2015.

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge